IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:17-CV-608-D

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| MICHAEL MAROM,<br><br>Plaintiff,<br><br>v.<br><br>AUDREY PIEROT, and<br>MARK GORDON,<br><br>Defendants. | ) | **ORDER** |

On December 11, 2017, Michael Marom ("Marom" or "plaintiff"), appearing pro se, filed a complaint against Audrey Pierot ("Pierot") and Mark Gordon ("Gordon", collectively "defendants") [D.E. 1]. On March 7, 2018, Gordon, also appearing pro se, moved to dismiss the complaint or, in the alternative, to change venue [D.E. 19]. On March 15, 2018, Pierot, also appearing pro se, moved to dismiss the complaint [D.E. 23]. On March 16, 2018, Marom moved for a default judgment [D.E. 28]. On March 30, 2018, Marom moved for leave to file an exhibit [D.E. 31]. On May 15, 2018, Marom moved for summary judgment [D.E. 34].

On June 19, 2018, the court referred this matter to Magistrate Judge Jones for a memorandum and recommendation on the pending motions and for a frivolity review [D.E. 39]. On November 7, 2018, Magistrate Judge Jones issued a Memorandum and Recommendation ("M&R") and recommended that Gordon's motion to dismiss or, in the alternative, to change venue [D.E. 19] be granted in part and that the court transfer this action, including all pending motions, to the United States District Court for the Southern District of New York. See [D.E. 40]. On November 26, 2018, defendants objected to the M&R [D.E. 41]. On December 3, 2018, Marom responded to the

objections [D.E. 42].

"The Federal Magistrates Act requires a district court to make a de novo determination of those portions of the magistrate judge's report or specified proposed findings or recommendations to which objection is made." Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (emphasis, alteration, and quotation omitted); see 28 U.S.C. § 636(b). Absent a timely objection, "a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." Diamond, 416 F.3d at 315 (quotation omitted).

The court has reviewed the M&R, the record, and defendants' objections. As for those portions of the M&R to which defendants made no objection, the court is satisfied that there is no clear error on the face of the record. As for the objections, the court has reviewed the objections and the M&R de novo. Defendants' objections are overruled.

In sum, the court GRANTS in part Gordon's motion to dismiss or, in the alternative, to change venue [D.E. 19]. This action, including all pending motions [D.E. 23, 28, 31, 34], is transferred to the United States District Court for the Southern District of New York.

SO ORDERED. This 18 day of December 2018.

JAMES C. DEVER III
United States District Court